

REMARKS

On September 8, 2003, the Legal Instruments Examiner issued a Notice of Non-Compliant Amendment indicating that the listing of claims does not include all of the claims (including withdrawn claims). In the Notice, the Examiner indicated that in the case of a preliminary amendment, there is a one-month time limit in which to respond. Because the July 29, 2003 amendment was submitted in connection with a Request for Continued Examination, Applicants submit that the one-month time limit is applicable. This response is being submitted within the prescribed time period. Accordingly, it is timely.

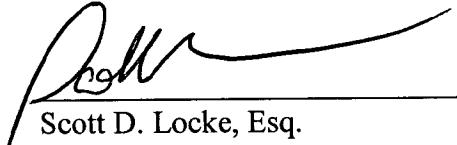
Applicants respectfully submit that the Notice of Non-Compliant Amendment was improper. Applicants' Amendment was submitted on July 29, 2003, and the new mandatory regulations did not take effect until July 30, 2003.

Nevertheless, in order to avoid further delay of prosecution, Applicants hereby resubmit the claim set. Applicants have re-designated claims 1-67 as canceled, as opposed to withdrawn as they were incorrectly denoted in the July 29, 2003 amendment. Those claims were canceled in communications dated September 13, 2002 (claims 1-38) and February 5, 2003 (claims 39 – 67). Pursuant to 37 C.F.R. § 1.121(c)(4)(i): “No claim text shall be presented for any claim in the claim listing with the status of ‘canceled’ or ‘not entered.’” Further, canceled claims may be aggregated into one statement. 37 C.F.R. § 1.121(c)(4)(1). Applicants have also changed the designation of the claims that were previously designated as “Previously introduced” to “Previously presented.” Accordingly, Applicants submit that the claim set is in compliance with 37 C.F.R. § 1.121(c) and request that the claims be considered in light of the arguments that were presented in the July 29, 2003 communication from Applicants.

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Applicants submit that no fee is due at this time. If a fee is required, the United States Patent and Trademark Office is hereby authorized to charge Deposit Account Number 11-071 for such sum.

Respectfully submitted,



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